

11-28-01

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Attorney Docket No. TRNSV-013BCC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Makower, et al. )  
Application No.: To Be Determined )  
Filed: November 26, 2001, Herewith )  
For: Methods and Apparatus For )  
Transmyocardial Direct Coronary )  
Revascularization )

Art Unit: To Be Determined

Examiner: To Be Determined

11000 U.S. PTO  
09/994222  
11/26/01

**Transmittal of a Continuation Utility Patent Application**

Express Mail mailing label no. EL921452460US

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for "Methods and Apparatus For Transmyocardial Direct Coronary Revascularization."

- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) corresponding to application which is a continuation of application Serial No. 09/710,332, filed on November 9, 2000 which is a continuation of Serial No. 09/059,531 filed on April 13, 1998 which was a continuation-in-part of applications Serial No. 08/730,327 filed October 11, 1996, 08/730,496 filed October 11, 1996 and 08/837,295, filed April 11, 1997. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:
  - ☒ the prior application as filed, including all 76 pages of specifications (including 57 pages of written description; 17 pages of claims.(Claims 1-83), and 15 sheets of informal drawings; and
  - ☒ a photocopy of the declaration of inventorship as filed in the parent application, showing the signatures or an indication it was signed.

- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a continuation of application Serial No. 09/710,332, filed on November 9, 2000 which is a continuation of Serial No. 09/059,531 filed on April 13, 1998 which was a continuation-in-part of applications Serial No. 08/730,327 filed October 11, 1996, 08/730,496 filed October 11, 1996 and 08/837,295, filed April 11, 1997.--.
- ☒ By Preliminary Amendment, please cancel claims 48-72, leaving claims 1-47 and 73-83 for examination.
- ☒ Check No. 2431 covering the filing fee in the amount of \$688.00 accompanies this application, calculated as follows:

	(Col. 1)		(Col. 2)		Small entity		Other than a
For	No. Filed		No. extra		Rate	Fee	Small entity
Basic fee						\$ 355	Or
Total claims	57	- 20 =	37	x 9	\$ 333	Or	x 18
Indep claims	1	- 3 =	0	x 42	\$	Or	x 78
_ Multiple dependent claims presented			+ 130	\$	Or	+ 260	\$
				Total	\$688	Or	Total

- ☐ An Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40 are enclosed.
- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☐ Formal drawings are enclosed.